going to be the ultimate answer to anybody's requirements
for a two-way system.

MR. SCHWARTZ: All right. Do we have further
questions?

OPERATOR: Yes. We have a question from David
Midas of Dell Water Communications.

MR. SCHWARTZ: Dave?

MR. MIDAS: Hi, John. How are you?

MR. SCHWARTZ: Good.

MR. MIDAS: To Bob Gehman, real fast.

MR. GEHMAN: Hi, Dave.

MR. MIDAS: Hi, Bob. How many engineering firms
are there that you believe can do these two-way MMDS/ITFS
studies as far as the complexity and the amount of work that
we're talking about doing in the next couple of months, or
in the next two weeks now?

MR. GEHMAN: Well, first of all, I would guess
that anybody who is offering the services is probably
already booked up. I would be surprised to learn that
somebody could take on extra work. But, you know, maybe
that's just my mis-information.

I would say maybe five, you know, to answer your
questions. And that's just kind of a ---

MR. MIDAS: So there's no place to farm the

1  work ---

2      MR. GEHMAN:  No, there really isn't.

3      MR. MIDAS:  --- given the amount of time we were

4  actually given?

5      MR. SCHWARTZ:  Dave, you're a member of the

6  engineering community.  Do you have an estimate as to that

7  question?

8      MR. MIDAS:  As far as how many you would consider

9  experts at the MDS point to point ---

10     MR. SCHWARTZ:  Well, let's say I brought you an

11  application that you couldn't handle at this point.  How

12  many names could you give me of other places to try?

13     MR. MIDAS:  That we haven't already tried?  None.

14  We have tried farming out work ourselves, and there are no

15  available engineers that we would trust our clients to pass

16  the work on to.

17     MR. SCHWARTZ:  All right.  Are there further

18  questions, Operator?

19     OPERATOR:  Not at this time.

20     MR. SCHWARTZ:  All right.  Let me look at my long

21  unanswered questions --

22     OPERATOR:  We do have a late question here from

23  Spencer of California State University.

24     SPENCER:  Thank you very much.  Gentlemen, after

hearing the last five minutes, how can we, in good

consciousness -- assuming we're conscious to begin with --

do anything except ask for a postponement since the

information that's going to go in is not going to be real,

or at least not for most of us, and that the applications

will probably be thrown out because the data won't be

reliable, and that the folks who are going to be asked to

comment on licenses that, in fact, are going in for two-way

applications will have the time to appropriately respond?

How can we go forward with any of this

understanding what I've just said?

MR. SCHWARTZ:  To whom do you want to direct this

question?

SPENCER:  To God, John.  To God.

MR. SCHWARTZ:  You know, I didn't prepare for that

aspect of the panel, Spencer.  Shall I take it as a

rhetorical question, or do you want somebody to try to

answer it?

SPENCER:  Well, I would like to hear again from

the gentleman from Carl Jones or Bob.  Either one, I think,

provided me with what I think the reasonable background on

that.

MR. SCHWARTZ:  John or Bob?  Anybody want to

tackle that?

MR. GEHMAN: This is Bob. I think, you know, my position is probably pretty clear. I think -- I agree with you. I don't see how anybody could make the decision not to extend it.

MR. HIDLE: This is John Hidle with Carl T. Jones Corporation. I think our feeling about this is pretty clear in the sense that we're not taking on any more business. We don't know if we can do what we've already committed to, as far as good conscience is concerned. We can't provide any of our clients with any application that we don't believe is complete and certifiable.

MR. SCHWARTZ: All right. Operator, do we have another question?

OPERATOR: Not at this time.

MR. SCHWARTZ: Well, let me raise the issue of complex applications. I mean, obviously, there are a variety of factors that could lead to the complexity of the studies and, therefore, presumably, the time that it would take to prepare them. The number of cells in the proponents system would be a variable, and also, the amount of ITFS congestion, and the number of systems to protect would be a variable.

My question is, what, you know, what is the readiness of -- is the software ready to undertake complex

studies, and if so, how long would a, you know, say a New York City or some very congested area, would a study take for that?  And let me throw that to Leonard, since we haven't called on you in awhile.

MR. KOROWAJEEUK:  Can you repeat, please?

MR. SCHWARTZ:  Sure.  Let's talk about complex studies, areas where the proponent is developing a multi-cell system, as opposed to a super cell, which I presume would add complexity.  And also, let's presume that this complex system was place, say in the Northeast United States where there are an awful lot of systems to protect.

Do you feel that the CelPlan software is ready to undertake complex studies and, if so, how long would it take to complete a study of that complexity?

MR. KOROWAJEEUK:  Okay.  Well, first we need to understand, to do a study, there are two parts of the study.  One part is a preparatory part, which has nothing to do with the software, and is really to gather the data about incumbents, future of this data, and prepare yourself, you know, to do the -- to learn the tool, and so on and so on.

The actual execution of the market, the calculation doesn't take much time.  As I said in presentation, a complex market, a large market as you said, a multi-cell market can be 10 cells or more in the

Northeast -- and we have several customers who have done

this -- can be one run in 30 hours. And 10 percent of this

is manpower; the rest is processing time of a machine and so

on. You can do multiple frequencies, and so on.

The way we structured our software is that you do

the predictions only one, independently of frequencies. And

then, you do what we call the composite studies when you

will then analyze frequency by frequency, and the composite

study takes much less time than the individual study, about

one-tenth of the time or even less. So that's -- and you

can write for all the frequencies you want to. You just

choose all, and that's it.

So it's very possible to do in a short period of

time. Of course, you need, as I said in my presentation,

you also need to do more than one run because, certainly,

you will need to eliminate interference. And we provide a

lot of information about how to eliminate interference. We

trace from where interference is coming so you can figure

out quickly. This was one of the improvements that we've

done over this time, how you can quickly eliminate the

interference areas, and so on and so on. So we store

several interferers, and we will point them to the user of

the tool.

So I would say, I don't know of any market that

took us more than 30 hours to run the complete study, and we

did some very, very large markets.

MR. SCHWARTZ: All right. Is Harry with us yet?

MR. HICKS: No, Harry's not here yet.

MR. SCHWARTZ: All right. Well, do you want to

try and tackle that question from the EDX standpoint?

MR. HICKS: I think the same answer applies. I

mean, the tools essentially do the same calculations. The

differences, of course, are in how we handle the actual work

files and things like that. But, in general, the answer is

still going to be the same. I mean, the tool doesn't

really -- the major processing time is, the more grid points

you have out there, the more points you have to deal with.

And even if you have a fairly simple, or even complex

proposed system, whether it's composed of a super cell or

multiple sectors or whatever, in most situations, there are

a number of incumbents that you have to investigate.

And that's, to some extent, kind of really where a

lot of the process time comes in, is you're doing these

calculations to an incumbent, you know, several times --

many times over in some cases. And that's really where the

time takes. You know, I agree that the processing time that

Leonhard was saying is probably -- that's probably fairly

accurate for a lot of studies.

But then again, we have to realize that that's only one run through. I mean, if you discover problems, you're going to have to do essentially a certain amount of that over again.

MR. SCHWARTZ: All right. Do we have any audience questions?

OPERATOR: Not at this time.

MR. SCHWARTZ: I have a question for John Hidle. John, we've been talking about people who are contacting consulting engineers now in mid-June about filings that are due no later than July 10th. Really, the underlying issues, as Todd pointed out at the head of this call is a public policy issue. Do we want to be postponing a window and taking a public policy decision simply because people have waited this long to get their engineering started?

MR. HIDLE: Well, truth of the matter is that they haven't waited that long. We've had people talking to us all the way back into the end of last year. And we've been telling a few people that perhaps we could manage to do their applications, but it would depend on when the window opened and how long a time we had, and the software's capability, and how long it would take to run a study.

And Leonhard pointed out that he could run a complex market in 30 hours to do an evaluation. But then,

1 when you get through with the evaluation, of course, you've

2 got to go back and make your changes necessary. First of

3 all, you've got to evaluate it to determine where your

4 interference is coming from. And he's right. The tool has

5 a very good capability of determining where your

6 interference is coming from.

7 For instance, we're designing a system with seven

8 response service areas, and all of those response service

9 areas have to be put together. The power has to be

10 accumulated into 4,000 and some odd points in one

11 incumbent's protected service area. And we have to

12 determine where it's coming from and where it's going, and

13 go back and make changes, and then, run the whole thing

14 again, you know.

15 But to get back to your question, no. These

16 licensees have not been sitting on their hands. They've

17 been -- They have been waiting until they heard something

18 about when it was going to be, the window was announced, and

19 the window was announced in March, toward the end of March.

20  And there was -- At that time, neither one of the software

21 packages was ready to go, although we had been investigating

22 and looking for a long time ourselves.

23 So I don't think you can fairly characterize the

24 fact that the whole ITFS community has been sitting on its

hands. From our standpoint, it has not. It's just an

unfortunate situation that there's just not enough people to

do all this work in a month.

MR. SCHWARTZ: All right. Do we have any

questions from our audience?

OPERATOR: Not at this time.

MR. SCHWARTZ: All right. I think we ---

OPERATOR: We do have a question from Don

MacCullough.

MR. MacCULLOUGH: Yeah, hi. What it seems to me

is that in this discussion, if the window is delayed, won't

the same thing -- would the same thing happen again? Will

there be more people who begin to feel they need work, and

still, they will also be denied to have that work done

because there's not enough people to do it.

MR. SCHWARTZ: To whom are you directing the

question?

MR. MacCULLOUGH: I guess to Bob Gehman.

MR. GEHMAN: Yeah, I think there is a reasonably

good chance of that happening. However, that will be the

fault of the person waiting too long to ask for the work, no

fault of the tools not being available to do the work. So I

think this initial window -- You know, as I said, I look at

it as, basically, a 30-day notice that there's going to be a

filing window to do a very, very complex job.

Anything you add to this 30 days is, you know, an opportunity for the people who have been wanting to do -- wanting this work done to be able to get it done, not necessarily an opportunity for new people to be able to get work done.

MR. SCHWARTZ: Well, what's the right length of time, Bob? Are you able to estimate that?

MR. GEHMAN: I, you know, I support the ASCCE shorter time period, only because I think -- I'm kind of on the fence between the business aspects of the industry and the ability to actually get some work done, you know, for a large number of people that, you know, should be given an opportunity to, not necessarily compete with, but at least have equal standing with the big guys that are filing in this first window.

MR. SCHWARTZ: Well, aren't the big guys facing the same software problems that the little guys are facing? So why is there a differential effect?

MR. GEHMAN: That's a good question. I don't know. Maybe they're paring back. Maybe they have so many people working on it and so many computers running that they are able to, you know, meet this time crunch. But for somebody like, you know, a small firm like ours to be able

to do that, it wouldn't be cost-effective for us. It would

be unaffordable for, you know, an ITFS licensee or a small

MDS company to be able to do that.

MR. SCHWARTZ: So your speculation is that, if

you're big enough, you can do it in 30 days?

MR. GEHMAN: Partially. And I think that has -- I

think that's certainly a factor. If you're big enough and

you started early enough, working with the, you know, the

Beta versions of the software, you know. And somebody who

goes out and buys the software in mid-May is -- I mean,

they've come in cold. Even if they understanding Appendix D

thoroughly, are trained to understand the software and be

proficient, you know, in 30 days, and actually get all the

work done, too. It just can't happen.

MR. SCHWARTZ: All right. Let's move to our last

segment, which involves giving the panelists opportunities

to ask each other questions. Again, the interest of time,

I'd like to ask people to direct their questions to specific

individuals. And we'll start with John Hidle.

MR. HIDLE: Okay. I have a couple of questions or

Leonhard as relates to the fact that we have two cell plan

licenses in operation right now. But we'd like to know when

will we have documentation on the software packages, all

three units? Do you have any idea, Leonhard, when that

documentation will be available?

MR. KOROWAJEEUK: I don't expect documentation to be available for the new packages. You have documentation for CelPlan, the CelPlan module documentation?

MR. HIDLE: Yes, we have documentation for the CelPlanner, but it does not include anything about the MMDS paret of it.

MR. KOROWAJEEUK: And help is available also for CelPlanner. For the other modules, we don't have the documentation. There just wasn't enough time to prepare it. That's why we stress the importance of the initial training classes. And generally, people have been very good. We have a relatively small amount of customer supported after the first week of users of our software. We are planning to do it, of course, but this will not be ready so soon. I don't expect to have documentation ready before December.

MR. HIDLE: Well, if you recall, we had eight people in your three-day training class -- or two-day training class, I believe it was, back in mid-April, and I think we had two more back for three more days last month. And so, we're moving right along with this.

MR. KOROWAJEEUK: Well, I think you did very well in attending class. Very well.

MR. HIDLE: Yes, matter of fact. I mean, we

understand the procedure, and we're going gung-ho here.

And, you know, we just see that there is just an

overwhelming number of people who need this work done, and

the big markets, they're just a big problem.

Like for example -- I'd like to ask you another

question, while I've got you.

MR. SCHWARTZ: We'll rotate. You'll get back.

MR. HIDLE: Okay. All right. I've got one more

question for Leonhard.

MR. SCHWARTZ: All right, keep it stored.

Leonhard, your chance to ask a question.

MR. KOROWAJEEUK: I would like to pass to somebody

else.

MR. SCHWARTZ: All right. We'll rotate past you,

if a question comes to mind, please use it. Merrill?

MR. WEIS: I have a question for John Hidle.

MR. HIDLE: Yes, sir.

MR. WEIS: John, I'm confused. I know you -- In

the statement that went along with the petition, and I guess

on this call, too -- have raised ---

(End of Tape Side B; Beginning of Tape Side C.)

MR. WEIS: --- And I was under the impression that

the Commission had taken care of that in the reconsideration

order. And so, I guess I'm unclear as to what the problem

is at this point that's not already addressed. And I guess

the second part of that is, if there is still a problem, why

wasn't it raised during the reconsideration process.

MR. HIDLE: Okay, let me address that. The

limited exception was defined in the earlier -- how shall I

characterize it -- second order on reconsideration released

in June of 1995. In that, Paragraph 24 and 25, it was

defined. It was defined as simply a 45 dB desire to

undesired signal ratio contour line associated with the

modification applicant's previously authorized station, the

35-mile circular boundary of the desired station. Now,

that's based on the overlap of signal strength contours for

the existing stations.

Now, we took that to mean that if you calculated

the -- if you had a desired station which was an incumbent,

which has a PSA somewhere near you and your co-channel, that

you would have to determine the points where your signal,

your interfering signal, 45 dB below his desired signal

overlapped or intersected, and connect the dots, and come up

with a 45 dBu desired to undesired ratio -- contour ratio

line. And that would be where it intersected the 35-mile

radius protected service area circumference would be the

classic interference area. And that's what we assumed it to

be.

But then, there were other questions that arose

when the report and order on reconsideration came out,

Paragraph 69 through 72, where they further modified the

limited exception to ask for a waiver to account for, shall

we say, grandfathered interference. And they didn't mention

any more about the details about the 45 dBu desired to

undesired contour ratio line, except when they extended it

to the predicted 0 dB desired to undesired for the adjacent

channels.

Now, we've had some questions regarding what they

mean by this because the intent, we believe, of the

Commission was to identify the existing interference-free

service area of an incumbent station, as to another station

which is very close buy and causing him interference.

Now, if you go strictly by the 45 dBu contour

ratio line, without any consideration for cross-polarization

or frequency offset, or any of that thing, you end up with a

very small interference-free service area for the incumbent

station.

And in the case -- This is the case where you were

referring to about worst case on top of worst case. If you

have two co-channel stations that are located 40 miles

apart, they are cross-polarized, and they're offset. Their

existing situation is their analog and their offset 10

kilohertz. Have, essentially 24 dB cross-polarization

situation, and you have 45 dB to 28 dB for the our 10

kilohertz soft set. Now, you can't have that for digital

because there is no offset.

But those are the kinds of questions that we have

raised with the commission because we feel that just to take

a 45 dB D to U contour line as a straight 45 dB makes the

interference-free protective service area of the incumbent

station as small as it's going to get, and it does not give

you a true, accurate depiction of that incumbent's

interference-free service area. And we feel that it's

unfair to the incumbent to understate his interference-free

service area when he's actually got a larger area to

cross-polarization, for example. I mean, that's our concern

with it.

MR. SCHWARTZ: The second half of Merrill's

question was, why didn't you raise that earlier?

MR. HIDLE: We did raise it earlier. We raised it

quite awhile go. But, you know, it's a matter of if we want

to go with 45 dB, we're perfectly happy with that. You

know, just tell us 45 dB D to U is it, and that's the way

we'll go. We'll be happy to do so. As a matter of fact,

that's what we've been doing, but we don't think it's right.

MR. WEIS: John, you said you raised it earlier.

Can you point me to comments that were filed during the

reconsideration process or some other time before this most

recent?

MR. HIDLE:  I raised it verbally with a gentleman

in the Mass Media Bureau in May of 1999.  I did verbally.

I'm sorry that I didn't do it on paper and make an exact

filing to that regard.  But I did call and talk to the

gentleman about three different times, asking him specific

questions about a specific market in which we had three

co-channel incumbents inside the Protective Service of the

station we were working with.  And, unfortunately, I did not

reduce to writing, and I wish I had of.

MR. SCHWARTZ:  All right.  Let's move on to Ted

Hicks.  Ted, a question?

MR. HICKS:  I'll pass, and let other people have

the opportunity.

MR. SCHWARTZ:  Okay.  Bob Gehman?

MR. GEHMAN:  Well, actually, I'm about to pass,

too, because I was just going to ask John Hidle what his

impression was.  Let me ask this anyway, because if he's not

sure, that helps to reinforce the necessity for a

clarification.

I believe that the limited exception may apply

only to the geographic area within the interference area,

the geographic area of the interference area, which may be

limited because of terrain.

Is it your impression or your understanding that

somebody could increase the level of interference, provided

that the area, the geographic area of interference didn't

get any larger?

MR. HIDLE: Are you asking me?

MR. GEHMAN: Yes. And I'm asking you that because

I want to know if you think you know the answer to that, or

do you think that a clarification needs to be raised on

that, as well?

MR. HIDLE: Well, I think we need to clarify the

exact method that the Commission expects us to use to

achieve what they were planning to do. Now, I'll go back to

the second order on reconsideration from June of 1995, in

which they adopted the limited exception because they had

increased the PSA from a 15-mile circle to a 35-mile circle.

And in the footnote -- Number 7, I believe it

is -- they say that, "A comparison will be made with the 45

dB desired/undesired signal ratio contour line associated

with the applicant's station proposed in its modification

application. Thus, we will compare the area in which

interference is predicted pursuant to the previously

authorized undesired station to the area in which

interference is predicted pursuant to the undesired

station's proposal in the modification application."

So what -- And they say in the text that what

they're expecting is that anyplace that there is not

predicted interference in the current authorization, there

will not be any predicted interference with a modification

application. That's what my reading of it was.

MR. GEHMAN: And the reason that I asked that

question is that I believe that there is more than one way

to interpret that requirement, as well. And you didn't say

anything about terrain blockage, and I believe that terrain

blockage should be included in that, and ---

MR. HIDLE: Well, they don't say anything about

terrain blockage at all either. They don't define it other

than at 45 dB contour at DDU contour ratios.

MR. GEHMAN: Which reinforces the need for a

clarification.

MR. SCHWARTZ: I'm going to try an English

translation for those who are not immersed in all of this.

You know, our existing co-channel interference protection is

45 dB desired signal, in other words, our signal versus the

interfering signal. That's a very heavy standard, as I

think Merrill alluded to, more than most engineers believe

is necessary in the digital world.

However, what the FCC has said is that we're already causing a lot of interference to each other because the PSA's have been expanded. And therefore, thou can go forward and cause interference, as long as it's not worse than the existing interference.

But the question is, does that pertain only to geographic areas where interference exists now, or does it pertain to the depth and the extent of interference in those areas. And also, of course, signal is blocked by terrain, so should there be exceptions for terrain.

How am I doing gentlemen?

MR. GEHMAN: Very good.

MR. HIDLE: You're doing pretty good.

MR. SCHWARTZ: All right. I think we can rotate to John HIDLE. You said you had another question?

MR. HIDLE: Yeah. The other question for Leonard was, we've been doing the -- a semblance of the protected service area limited exception using CelPlan, calculating, as the tool will, interference at the grid points in the incumbent's area. But our concern is simply that that's not the method that's set forth in the second order on reconsideration or the reporting order on reconsideration as to how the limited exception interference-free area should be calculated. It's an overlapping of contours, and the

identification of that contour ratio line.

And although, what we've seen when we use the grid point calculation is very similar, it's really not exactly the same as you get actually doing the calculations according to the Commission's definition.

So I'm not so sure that we feel totally comfortable with depending on the calculations of the DDU ratio at each of the grid points, 1.5 kilometers apart versus actually doing contour calculations, seeing the overlap and where it occurs. If that's the only way we have to do it, then we might end up having to do it that way.

MR. KOROWAJEEUK: What I can tell you is that we have been doing it this way. I don't see much difference between the contour and the study points. I've seen in the past people using study points even more spaced than the ones that are specified in the methodology. So, at least it gave a common base to everyone, and everybody is using the same study points to do it.

We have been doing this in our applications regularly for all our markets. And I know of several other companies that have been doing this regularly also. So I don't see ---

MR. HIDLE: Well, the point I'm making here is that, to be precise in filing an application with the

Commission, we have to certify that it complies with their rules, including how they calculate the ---

MR. KOROWAJEEUK: Yeah, but if you can assure that you don't violate for any of the study points, the interpolation of the contour line will fall outside the study points, of course. You cannot calculate for every single discrete point in the universe. So there must be some (unintelligible) .

MR. HIDLE: Yeah, well ---

MR. KOROWAJEEUK: Of course, and ---

MR. HIDLE: But you understand our concern?

MR. KOROWAJEEUK: I understand the concern, yes.

MR. HIDLE: Okay, thanks.

OPERATOR: And gentlemen, we have reached our 102nd minute.

MR. SCHWARTZ: Okay, thanks for the warning. I think we might just make it if we can rotate through the last round of questions. Leonard, you're up for a question.

MR. KOROWAJEEUK: I really pass. I think we've explored the subject quite in depth.

MR. SCHWARTZ: Okay.

MR. KOROWAJEEUK: And if somebody else has another question.

MR. SCHWARTZ: Merrill, second question?

MR. WEIS: I think I'm out, John.

MR. SCHWARTZ: All right. Well, if we're exhausting the engineers, that's progress. Ted?

MR. HICKS: Pass again, please.

MR. SCHWARTZ: And Bob, do you have a final question?

MR. GEHMAN: Okay. I understand -- This is for Merrill. I understand the position you were taking with regard to worst case primers and so forth in the Appendix D. And the fact that, as a result of that, it's not so important to worry about the actual interference that somebody may predict because of all the safeguards that are built in, and therefore, one software package may produce slightly different results than another one. On the other hand, the FCC has never had any sort of degree of flexibility involved in these types of things.

So my question to you, Merrill, is do you think that you could prepare an application that would withstand scrutiny from another engineering firm, possibly using another software, or maybe even by doing hand calculations, based on your experience with CelPlan?

MR. WEIS: Bob, I think the simple answer to that is yes, that the issue is that, you know, if it turns out that two engineers come to different results, and I

certainly agree that it's possible that you could get

different results from different software packages.  And if

you are operating right on the threshold, you know, down to

the last tenth or hundredth of a dB, then one could

calculate above the threshold and the other could calculate

below the threshold.

And so, that could be an issue that you'd have to

resolve between the two engineers, looking at, you know,

what the differences are in the way the calculations are

done.  That's, in fact, some of what we're doing in looking

at the validation of the, in particular, the CelPlan

software that we're working on now.  The issue, though, is

how significant will it be, and does it really -- will it

really result in interference.

The point I was making earlier was that because we

have so many worst cases piled on top of one another, that

when -- that even if the software, in either case, isn't

absolutely perfect in terms of its implementation of any one

particular element of the methodology, that it will still

result in adequate, or really, more than adequate

interference protection.  And so, it was that that I was

trying to address earlier when I made the comment.

MR. GEHMAN:  Okay.

MR. WEIS:  You know, we've got so many layers here

that if it turns out that there is something we haven't

found by now, or by the time of the window, or even sometime

later, it's highly unlikely that that would result in real

interference in the real world.

MR. KOROWAJEEUK:  If I may interject, Merrill, I

think this is the beauty of this process.  For the first

time, the parties speak directly.  And imagine, you have a

borderline case, that one software tells you that you have

45.05, and the other says that you have 44.05.  I'm quite

sure that both parties will come to an agreement in one way

or the other.

So there will be small differences, and they will

be very, very small.  And I think this can be addressed.

And in very, very few cases those differences will be in the

marginal -- in the borders, so that really care.  And nobody

cares if the difference is at 50 dB's or 60 dB's.  And

nobody will care also if the difference is at 30 dB's or 40

dB's.

So if the differences are in the border line, then

the parties will need to discuss and come to an agreement.

So there is some -- But I believe that this will happen in a

very, very, very small percentage of cases.  And it's

basically, as I said.  I gave you the main reasons for this

to happen, truncating, you know, because of going with a 16

digits, significant digits.  You are doing with eight

significant digits, and things like this.

So this gives you really something in the order of

tenth of a dB, or something like this.

MR. WEIS:  There's another important factor that's

been left out of all this, too.  That is that if, somehow,

despite all of the layers of worst cases, and all the

accuracy of the calculation, you end up with real

interference in the real world, the licensee who causes it

has an obligation to cure it.  And that's the ultimate

protection for all of this.  And we shouldn't lose sight of

that.

MR. SCHWARTZ:  All right.  I'd like to rotate into

closing statements.  We're giving two minutes to each

individual, and we'll start with John Hidle.

MR. HIDLE:  Okay.  I won't take two minutes.  I

just want to say that I still stand by our position, the

fact that there is not, given where we stand today, adequate

time to achieve the design of as many -- and preparation of

as many applications as we need to do.

I feel that it would be very much in the interest

of the ITFS licensees in this country to have additional

time to prepare an adequate number of accurate and

certifiable applications to be filed for their potential

two-way systems.  Thanks.

MR. SCHWARTZ:  Leonard?

MR. KOROWAJEEUK:  Yes.  Well, in our statement, I think we clearly stated that we really believe that the software is sufficiently developed to design ITFS markets, and we are really complying with the rules of the methodology.  We also tried to provide to everyone statistical data about, you know, time to run, so each one can take its own conclusions, and so on.  And we are open here to anyone that would like to get more information from us.  You can call me any time, and we'll be more than pleased to fill you in with more information.

MR. SCHWARTZ:  Merrill?

MR. WEIS:  I guess about the only thing left that I think we haven't addressed, and that maybe was, even the wrong impression was left during somebody's comment during this, is that when it comes to consideration of interference studies that are served on an ITFS licensee, as opposed to the case where you're concerned about designing a system and getting it into the window, in the case where a set of engineering studies is served on the ITFS licensee, there is really no need at all to have that analyzed prior to the window, or even during the 60-day period that's provided following the window during which applicants are able to try

to harmonize their applications in order to eliminate

interference that they might cause to one another.

Rather, following that 60-day period, there is a

second 60-day period in which anyone who has an interest can

file a petition to deny an application. And it's really at

the end of that 60-day period, that second 60-day period, so

130 days, I guess, more or less, after the opening of the

window that anyone would need to be able to have a completed

analysis of something that was served upon them in order to

file a petition to deny.

And so, at least with respect to those licensees,

there's a much longer period of time than we've been talking

about in this conversation, which has been more focused on

actually getting applications into the window. I hope

that's helpful to some people.

MR. SCHWARTZ: Ted?

MR. HICKS: Okay. I think that we still need to

not lose track of the sight that we still just have a time

crunch here that, with the tools becoming available, you

know, relatively recently, and the massive amount of

applications that have to be done. I mean, even if we could

find, you know, find the money to buy the tools, find the

engineers to do the work, there's still going to be learning

curves, as has been pointed out, to get the engineers up to

speed on both the Appendix D rules, as well as just load the

tools themselves.  And then, of course, we're not

discounting the fact that, as we do our work, we run across

errors.  We make mistakes.  And that causes us to go back

and to have to redo things, just to, you know, to do good

output.

So, in the end, I think we still need some more

time.  And that's why, again, EDX is still supporting a

reconsideration of this time period.  Obviously, if we're

given some additional months, then at that point, you know,

the time is available, and people can do -- make an

application they're comfortable with, and one they can

comfortably certify to the Commission that, yes, this is

good work, and I stand behind it.

MR. SCHWARTZ:  Bob?

MR. GEHMAN:  Well, I think it's true that the

software is, you know, developed.  I think it's available

now.  It can be used to prepare applications.  There's the

learning curve to be able to use it, and the fact that

there's only 30 days left to produce applications which, in

my opinion, isn't enough time to really do much at all.

And then, there is the issue of the evaluation.

It's true that you don't need to do an evaluation by the

filing deadline.  But I can assure you that if you have a

client that is served, he will want to know as soon as

possible what his impact is, how he is really being impacted

by this.  And that will cause some degree of anxiety and

unhappiness with that person until he finds out what the

real issue is.

During that first 60-day period, he will

definitely need to be able to evaluate the effects because

that's the time when you're going to be doing the

negotiating and, you know, making changes and so forth to

accommodate one another.

So -- And then, the final thing is, as far as

being familiar with the software, the flexibility would be

nice.  It would be nice to have some degree of flexibility

so that if you file an application, there's something

slight, you know, a few dB off here or there, you know,

things like that, to where you could work with somebody.

But the bottom line is, a client wants you to

do -- his consulting engineer to do the best he can for him,

which means, generally, pushing things pretty much to the

limit.  In other words, I want you do the -- I want you to

give me the best system you can.

If, as a result, there is a slight difference that

would open somebody up to a petition to deny, or even before

that, somebody accusing that applicant of causing

interference to him or, you know, in a way that would

possibly bring on a petition to deny, as far as that client

is concerned, his engineer is wrong.  He did a bad job.

So we've got to be able to do this with a

reasonable degree of confidence that what we're producing is

accurate, and will withstand the scrutiny of other

engineers.  And that's the conclusion of my --

MR. SCHWARTZ:  Well, I want to thank our panelist

and our other participants.  It was a brilliant panel.  And

I want to particularly thank you for agreeing to participate

on what bordered on no notice, and for the fine job that you

did.

I also want to take this occasion to promote our

next audio conference, which will be held tomorrow, starting

at noon Eastern, nine Pacific, which will deal with the

preclusion issue.

OPERATOR:  That concludes today's conference.

Thank you for your participation.

(Whereupon, the conference call was concluded.)

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## CERTIFICATE OF SERVICE

I hereby declare that a copy of the foregoing Comments of the ITFS Spectrum Development Alliance in Support of Postponement of MDS/ITFS Filing Window was sent this 19th day of June, 2000, by hand to the persons listed below:

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